

REMARKS

Claims 1, 2, 4, 5, 7, 9-15, and 17 are pending in the present application.

Claims 3, 6, 8, 16, and 18 have been canceled.

Claims 1, 2, 4, 5, 7, 10, 11, 12, 15, and 17 are independent.

Allowable Subject Matter

Applicants appreciate the Examiner's continued indication that claims 6-14 recite allowable subject matter and would be allowed if rewritten into independent form including all of the features of the base claim and any intervening claims. In the above amendments, Applicants have added the allowable features of claims 6 and 8 to independent claims 4 and 1, respectively. Furthermore, allowable dependent claims 7, 10, 11, and 12 have been rewritten into independent form including the features of base Claim 4. Allowability of the remaining claims is argued in detail below.

35 U.S.C. § 103(a) Mladenovic – Fujino Rejection

Claim 1 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Mladenovic (U.S. Patent No. 6,657,996) in view of Fujino ((U.S. Patent No. 5,436,899). This rejection, insofar as it pertains to the present pending claims, is respectfully traversed.

As noted above, the allowable features of Claim 8, have been added to independent claim 1 to establish patentability. Given the previous indication of allowability for Claim 8, Applicants

believe that incorporating the allowable features of Claim 8 into independent claim 1 firmly establishes patentability for independent Claim 1. Therefore, Applicants respectfully request reconsideration and withdrawal of this §103(a) Mladenovic-Fujino rejection.

35 U.S.C. § 103(a) Mladenovic-Shanker-Fujino Rejection

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Mladenovic in view of Shanker ((U.S. Patent No. 6,570,869) and further in view of Fujino. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Even if one assumes that all of the allegations made in the Office Action are true, the Office Action is still insufficient to reject all of the features of claim 2. Indeed, it appears that the various features of claim 2 are apparently being ignored or overlooked in the Office Action.

Specifically, the Office Action appears to ignore the transmitting or notifying means and the specific function recited therein. The Office Action merely admits that Mladenovic does not expressly disclose a bearer channel number in the assignment message and the Shanker discloses this feature. This is not what is being claimed in the means for transmitting (notifying) of claim 2. As recited therein, the transmitting or notifying means notifies or transmits the number of the trunk channel being operated under pass-through operation by employing a specific bearer channel number contained in an assignment message of a bearer circuit. In other words, claim 2 recites that the means for transmitting (notifying) employs a specific bearer channel number (contained in an assignment message of a bearer circuit) to notify which trunk channel is being operated under a pass-through operation.

The Office Action appears to ignore this feature of claim 2 by merely stating that Shanker discloses a bearer channel identifier in column 9, lines 43-44. This disclosure of Shanker, however, merely states that to associate a message with a call, a specific call identifier is embedded in the message. Such messages to associated call identification is not the same as, and does not disclose or suggest the means for transmitting (notifying) of amended claim 2 which transmits or notifies the number of the trunk channel being operated under pass-through operation by employing a specific bearer channel number contained in an assignment message. In other words, a specific bearer channel number is reserved for this notification purpose and merely by transmitting this specific bearer channel number, the present invention may notify to another digital circuit multiplication equipment, that a specific trunk channel is being operated under pass-through operation. Such functionality and the means for achieving it are simply not disclosed or suggested by any of the applied art, even when taken in combination.

For all of the above reasons, taken alone or in combination, Applicants respectfully request reconsideration and withdrawal of the §103 Mladenovic-Shanker-Fujino rejection.

35 U.S.C. § 103(a) Mladenovic-Klotzbach-Delargy Rejection

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mladenovic in view of Klotzbach ((U.S. Patent No. 5,410,754) and further in view of Delargy ((U.S. Patent No. 6,029,127). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As to Claim 4 and as noted above, the allowable features of Claim 6 have been added to claim 4 to further establish patentability. Therefore, this rejection is moot at least with respect to independent claim 4.

As to claim 5, the Office Action is insufficient to properly reject this claim. In rejecting claim 5, the Office Action again appears to ignore significant features of this claim. It is admitted that the combination of Mladenovic and Klotzbach fails to disclose a silent signal. Fujino is applied to teach outputting a silent signal in a trunk channel but the application of Fujino is not understood, and in any case, insufficient.

The Office Action, on page 6, paragraph 2, points to Fig. 1 and steps 20 and 22 of Fujino as allegedly teaching outputting a silent signal in a trunk channel. There appears to be some error in the Office Action as Figure 1 of Fujino has no step 20 or step 22 and merely shows a voice multiplexing device/switching system connected to a relay transmission network 3. Furthermore, the citation to column 2, lines 19-35 of Fujino merely teaches a silent section detecting unit that detects silent sections of voice input information such that multiplexing unit may multiplex only the information synchronized with the correspondence coder for the voice channels from which silence is detected. This is quite a different feature and simply does not disclose or suggest a means for outputting a silent PCM signal as recited in claim 5.

More specifically, the applied art, even when taken in combination, fails to disclose or suggest means for outputting a silent PCM signal in a trunk channel in response to receiving the first invalid encoded signal from the bearer circuit. Reading claim 5 as a whole, as must be

done, there is claimed therein a digital circuit multiplication equipment equipped with a tandem pass-through function that includes means for synthesizing a first invalid encoded signal which indicates that a trunk channel is operated under pass-through operation where an input signal from a bearer circuit is not supplied. As further recited therein, an outputting means outputs a silent PCM signal in a trunk channel in response to receiving the first invalid encoded signal from the bearer circuit. Although Fujino may detect a silent section, Fujino has no disclosure or suggestion that could be used to properly reject a means for outputting a silent PCM signal in response to receiving the first invalid encoded signal from the bearer circuit as now recited in amended claim 5.

For all of the above reasons, taken alone or in combination, Applicants respectfully request reconsideration and withdrawal of the §103 Mladenovic-Klotzbach-Delargy rejection.

35 U.S.C. § 103(a) Mladenovic-Wellard-Fujino Rejection

Claims 15-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mladenovic in view of Wellard (U.S. Patent No. 6,510,219) and further in view of Fujino. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Initially, it is noted that the features of claims 16 and 18 have been added to independent claims 15 and 17 to further establish patentability thereof. It is further noted that the Office Action fails to specifically address either claims 16 or 18. Indeed, none of the applied art could be utilized to reject the features of Claims 16 and 18 that are now incorporated into independent claims 15 and 17, respectively.

More specifically, none of the applied art, even when taken in combination, discloses or suggests a communications apparatus as recited in Claim 15 including a unit indicating to another transmission device of the continuous assignment of the bearer channel using an assignment message. This feature must be read in conjunction with the other features of claim 15, specifically the transmission device that includes a unit for continuously assigning the received signal to a bearer channel. Such continuous assignment is indicated by the unit to another transmission device using an assignment message. No such continuous assignment feature, particularly using an assignment message, is disclosed or suggested by the combination of art. Indeed, the Office Action fails to address any of these specific features.

Likewise, the combination of art also fails to disclose or suggest the features of amended claim 17, particularly a method of communicating including continuously assigning the received signal to a bearer channel to transmit the signal to connect with a second trunk number of another transmission device via an exchange. Furthermore, the combination of art fails to disclose or suggest that this continuous assignment includes indicating to another transmission device of the continuous assignment of bearer channel using an assignment message. In other words, an assignment message is utilized to indicate the continuous assignment which is a feature completely absent from any of the applied art, even when taken in combination.

For all of the above reasons, taken alone or in combination, Applicants respectfully request reconsideration and withdrawal of the §103 Mladenovic-Wellard-Fujino rejection.

CONCLUSION

All objections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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